

Carlisle Conservation Commission
September 13, 2012
Minutes
Approved 10/25/2012

Pursuant to the notice filed with the Town Clerk, Chair Kelly Guarino called the meeting to order in the Clark room at the Carlisle Town Hall at 7:32 P.M. Commissioners, Lee Tatistcheff, Tom Brown, Jenifer Bush, and Peter Burn were present. Commissioners Tom Brownrigg and Luke Ascolillo were absent. Other attendees at the meeting were Conservation Administrator Sylvia Willard, Selectman John Williams, David Flannery, Mary Zoll, Sally Zielinski, Jack O'Connor, George Dimakarakos, Bobby Lyman, Chantal Nouvellon, Jeff Hannaford, Sheila Heen, Kevin Ritchie, Katherine Larrabee, Lynn Knight and Greg Peterson.

7:30 – 8:00 P.M. Open Space and Recreation Report Goals, 5-year Action Plan

Willard had previously sent the Commissioners Section 9 of the 2011 update for the 2005 OS&R goals with edits for their comments, editing and additional goals. Section 9 was broken down into four sections: Administrative tasks, Outreach, Land Management and Land Protection. Guarino took notes on suggestions for wordings, additional goals, items to be deleted and clarifications and will incorporate them into the plan. The edited plan section will be sent out again to the Commissioners.

8:00 – 8:15 P.M. Request for Determination DOA-296, Applicant: Carlisle Fire Department, 80 Westford Street

Chief David Flannery appeared before the Commission to represent the Carlisle Fire Department at this meeting. Flannery reported that excavation and paving in the 100-foot buffer zone of a Bordering Vegetated Wetland was inadvertently done in violation of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw during the project to enlarge and pave the driveway. The error was made due to using an old set of plans with incorrect wetland delineations submitted for the previously installed fire cistern. Additionally, brush removal done at the request of the Department of Public Works on the side of the station near the installed cistern resulted in the lawn going right up to the wetlands and native plants were removed. Flannery stated that there will be budget limitations to correction work, but he will do his best to restore native plants, possibly add Speckled Alder replacements, and remove some invasive Burning Bush on the property and located near Westford Street and Rockland Road. *Brown moved to approve a Negative Determination of Applicability with the filing to be amended as discussed. Bush seconded the motion, and the motion passed unanimously.* Wording in the filing is to allow, not require, the discussed work.

Bills were passed out and signed before the next scheduled hearing.

8:15 – 8:30 P.M. Notice of Intent (NOI), Applicant Chantal Nouvellon, Lot 18A, 95 Hanover Rd. Project Description: Construction of a single family home, including well, foundation drain and associated grading.

George Dimakarakos of Stamski and McNary, Inc. presented the project description. The house is proposed to be placed in the area of prior buildings in the Hanover Hill development, so there are limited wetlands impacts he felt. This project falls under the Permit Extension Act, so old wetland delineation is still valid so wetlands will not be re-delineated. Flags will be reset prior to construction. Work will be done 42 feet from wetlands. Willard mentioned discovering a large solidly anchored box not on the plan and suggested the owners might want to removed. The reason given for a basement walk out facing west towards the wetlands was the house was sited to take advantage of the best solar orientation. Willard reported that there were extensive invasive plants on the property. The hearing was not closed due to lack of a DEP number and also for response from Natural Heritage and Endangered Species Program. It was continued to September 27, 2012 at 8:15 P.M.

New Business: Drew Kissinger representing the Carlisle Boy Scouts will appear at the 9/27/2012 meeting to discuss an invasive plant project proposed through the Land Stewards committee.

Pending Business: Certificates of Compliances (COCs).

It was discovered that the COC previously issued on 7/2/1980 under DEP 125-025 for 97 Fifty Acre Way was never recorded by the owner. The work involved a common driveway culvert. Willard reported that she visited the site and determined that it was installed and functioning. *Burn moved to issue the Certificate of Compliance, Tatistcheff seconded the motion and the motion passed unanimously.*

DEP filing 125-0915 for 545 South St., the MacRae Trust. This project to install a new septic system was issued Orders of Conditions with Continuing Conditions to allow for the removal of invasive plants located within the Conservation Commission's jurisdictional area. The project area itself was well vegetated, Willard reported, as the grass is growing, blueberries shrubs planted, and cinder blocks removed from the Bordering Vegetated Wetland. Upon recommendation from Willard, *Tatistcheff moved to issue a COC with the Continuing Conditions as stated in the original Order of Conditions, Burn seconded the motion, and the vote was unanimous.*

8:30 – 8:45 P.M. DEP 125-0925 NOI, Applicant Sheila Heen. Project Location is 547 Westford St. Project Description: Upgrade to an existing septic system with associated grading.

Jeff Hannaford of Norse Design Services represented the Heens for this hearing under the Massachusetts Wetland Protection Act and the Carlisle Wetland Protection Bylaw. Renovation work is being done on the main house and an accessory building. The size of the septic system will need to increase from four bedrooms to a count of six bedrooms. Wetlands are on both sides of the area involved. The leaching area is outside the buffer zone, but the grading is in it as well as a connecting trench pipe. The location for the septic work was chosen to be downgradient of the buildings and pushed west in order to save a Sugar Maple tree. According to Hannaford, the location was chosen to “work with the existing topography.” Burn warned that the tree might still have a struggle to survive

and tree roots might invade the septic area. Willard reported areas of invasive plants within the 100-foot Buffer Zone. *Bush moved to close the hearing. Burn seconded the motion, and the vote was unanimous. Bush moved to issue the Standard Order of Conditions with the addition of a continuing condition that invasive plants could be removed by hand. Burn seconded the motion. The motion passed unanimously.*

New Business:

Land Use Permit: Willard reported that the Commission had received a request from the Carlisle Cross-Country team to practice on Fox Hill conservation land as had been done the previous running season. Guarino moved to add this item to the agenda, Brown seconded the motion, and it passed unanimously. *Burn moved to issue a land use permit for the cross-country team to practice on Fox Hill. Brown seconded the motion and it passed unanimously.*

New Business: Willard said a correction was needed in approved 8/19/2010 minutes. It was Jack O'Connor and Mark Duffy who replaced a fence at Foss Farm, not Gary Davis. *Bush moved to open the minutes to make the correction and vote on the correction, Brown seconded the motion and the motion passed.*

8:45 – 9:00 PM. DEP 125-0924 NOI. Applicant: Jonathan & Katherine Larrabee. Location: 19 Virginia Farme Rd. Project Description: Installation of a three bedroom septic system.

Kevin Ritchie of Civil Solutions presented a plan to replace a failed septic system. This was a revision of the previously filed plan and showed the addition of an existing drainpipe and a shift in the septic tanks location. Larrabee said the pipe was crucial to prevent water from flooding the house. Ritchie stated Board of Health will need to look at the plans again, but no variances would be required. He recommended continuing the hearing to allow the BOH to review the plan. *Bush moved to continue the hearing until 9/27/12 at 8:30 P.M. to allow the Board of Health to voice any objections. The motion was seconded by Burn and the passed unanimously.*

New Business: Under DEP filing 125-0918, the applicant for 10 Applegrove Lane has requested to move the location of an out-building previously permitted to a new location which will be no closer to the BVW than the previous location and is in a location that was already cleared consistent with the Order of Conditions. Willard saw no issues. *Bush moved to allow the plan change request for the plan received on 8/31/12. Brown seconded the motion and it passed unanimously.*

New Business: Future **meeting dates** will be Oct. 11 & 25, Nov. 8 & 29, Dec. 13 and Jan. 10 & 24. No meeting will be held on Dec. 20th.

9:00 – 9:15 P.M. DEP 125-0926 NOI. Applicant Rosemary Duda. Project Location: 534 Concord St. Project Description: Installation of a three bedroom septic system.

Guarino opened the hearing under the Massachusetts Wetland Protection Act and the Carlisle Wetland Protection Bylaw. Kevin Ritchie of Civil Solutions represented the owner Rosemary Duda. Ritchie explained the limited area available to replace a failed septic system. There are site limitations of a pond on one side of the home and extensive ledge in the rear and the other side of the structure. The new plan calls for a 56-foot distance from the leach area to the wetlands and two new septic tanks in the buffer zone. The existing septic field will be abandoned. The design pushed the field as close to the road as possible. Willard reported that on her site visit she had found an invasive plant that she had here-to-fore not found in Carlisle, Black Swallow-wort. She passed around a sample she found that had colonized amid the pachysandra near the construction site. The commissioners discussed the difficulty of removing this invasive plant that spreads when seed carrying pods like Milkweed break and the seeds become attached to people and equipment to be transported to other properties. Burn will see if anyone he knows has information on the best way to control the Swallow-wort. Willard will explain the problem with the invasive plant to the homeowner and offer advice Burn finds out about control. *Tatistcheff moved to close the hearing. Bush seconded the motion and passed unanimously. Guarino moved to issue a Standard Order of Conditions on the plan dated 8/12/2012 with continuing condition of removing invasive plants from the property by hand or hand tool methods. Tatistcheff seconded the motion and it passed unanimously.* It was pointed out the plan date was printed in error and should be 9/12/12.

9:15 – 10:30 P.M.

Lynn Knight: Buckthorn clearing at Foss Farm

Carlisle Housing Trust: Greg Peterson: Banta Davis Strategic Plan

Lynn Knight told the Commissioners that the Buckthorn removal project at Foss Farm was going very well, with volunteer work days to cut the stems and paint on an herbicide, then stack the brush for burning on the fields by during the annual burn season. A change from painting on the herbicide to using a foliar spray is needed to control the numerous tiny stems too small to paint, remaining after the work that has been completed. *Tatistcheff moved to approve foliar spraying as a modification of the original plan and intent. Bush seconded the motion and it passed unanimously.*

Greg Peterson of the Carlisle Housing Trust and Selectman John Williams appeared before the Commissioners to explain options for Carlisle to add affordable housing units to the town's count. He went over the consequences for not meeting state goals that included allowing 40B developments causing us to lose control of the town's vision for Carlisle. On June 2, 2012, there was a Housing Study Day. Peterson passed out copies of the Banta Davis Task Force report to the Selectmen dated June 12, 2012. He also passed out The Geometry and Geography of Affordable Housing in Carlisle, Affordable Housing: Economics, and Affordable Housing Forum (all handouts from June 2, 2012). Peterson stressed taking a proactive approach to meeting legal requirements. The value of rental units over for-sale units was presented. Peterson said the neighbors of the Banta-Davis land did not want to be the only Carlisle residents shouldering the burden of having affordable housing near them. He suggested several other sites in town to spread out the housing, such as the Town Forest which is under the control of the Conservation

Commission. Discussion mentioned the difficulty of removing land already designated for conservation. Also discussed was the recently proposed acquisition of 338 Bedford Road by the town for Department of Development Services (DDS) housing which would qualify for affordable housing units and for a future ball field. The land formerly proposed for the Coventry Woods 40B project would be a another prime site. Other locations should include a western location and an eastern location. Peterson feels ten-acre pods are the size needed for the buildings and infrastructure. Williams presented an action time line for the 338 Bedford Road acquisition with the goal of getting bonding money approved at the spring town meeting. Williams doesn't think the 40B law will be repealed and the issue will not go away.

New Business: Guarino postponed reviewing minutes.
Guarino and Ascolillo are staying on top of the Chelmsford Water District Public water supply well proposal for Barnes Terrace near the Cranberry Bog.

10:44 P.M. Tatistcheff moved to adjourn the meeting, Burn seconded the motion, and all agreed.

Respectfully submitted,

Bobby Lyman, Assistant